



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Thomas R. Berger, *et al.*

Serial No.: 10/790,311

Confirmation No.: 9331

Filed: March 1, 2004

For: FOOD WASTE REDUCTION MECHANISM FOR
DISPOSER

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Group Art Unit: 3725

Examiner: Jason Y. PAHNG

Att'y Docket: 021902-139US
(formerly: 10807.0139.NPUS01)

ELECTION IN RESPONSE TO RESTRICTION REQUIREMENT
DATED NOVEMBER 28, 2005

Mail Stop: AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING
37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

01/30/06
Date

Monke R. Rhodes
Signature

Sir:

In response to the Office Action mailed November 28, 2005, having a shortened statutory period for response expiring December 28, 2005, Applicant submits the following amendments and remarks. In a separate petition for extension of time, Applicant has requested and paid the \$120.00 large entity fee for securing a one-month extension of time for response making this response due January 28, 2006. However, since January 28, 2006 occurs on a Saturday, this response is due January 30, 2006 in accordance with 37 C.F.R. § 1.7.

Amendments to the Claims begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.